

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re: Rent-A-Wreck of America, Inc.,	:	Chapter 11
	:	
Debtor.	:	
<hr/>		
RENT-A-WRECK, INC., et al.,	:	
	:	
Appellants,	:	
	:	
v.	:	C. A. No. 18-801-RGA
	:	Bankruptcy Case No. 17-11592-LSS
RENT-A-WRECK OF AMERICA, INC.,	:	BAP No. 18-31
et al.,	:	
	:	
Appellees.	:	

RECOMMENDATION

At Wilmington this **20th** day of **June, 2018**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, the court conducted an initial review, which included information from counsel through a letter dated June 19, 2018, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process. All of the parties involved in this appeal firmly expressed that mediation would be unproductive.

The parties proposed that the following briefing schedule be entered:

Schwartz's Initial Brief:	August 3, 2018 (45 days from the instant filing)
RAWA's Response Brief:	September 17, 2018 (45 days from Schwartz's brief)
Schwartz's Reply Brief	October 8, 2018 (20 days from RAWA's response brief)

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties were advised of their right to file objections to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge